

United States District Court
Eastern District of California

Darrel L. Smith,

Plaintiff,

vs.

King, et al.,

Defendants.

No. Civ. S 04-0702 MCE PAN P

Findings and Recommendations

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June 28, 2005, plaintiff moved for an order compelling prison officials to permit him access to copying services so he could file unspecified discovery motions. June 29 and 30, 2005, plaintiff filed discovery motions. Attached to the June 29 motion is a copy of a document styled, "Motion for a Request for Interrogatories."

Since plaintiff was able to attach a copy to the June 29 motion, I find the impediment has been rescinded.

Accordingly, I hereby recommend plaintiff's June 28, 2005,

1 motion be denied.

2 Pursuant to the provisions of 28 U.S.C. § 636(b)(1), these
3 findings and recommendations are submitted to the United States
4 District Judge assigned to this case. Written objections may be
5 filed within 20 days of service of these findings and
6 recommendations. The document should be captioned "Objections to
7 Magistrate Judge's Findings and Recommendations." The district
8 judge may accept, reject, or modify these findings and
9 recommendations in whole or in part.

10 So ordered.

11 Dated: August 30, 2005.

12 /s/ Peter A. Nowinski
13 PETER A. NOWINSKI
14 Magistrate Judge
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